

**Scheibel, Robert**

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**From:** Leyes, Drew [Drew.Leyes@alston.com]  
**Sent:** Tuesday, September 22, 2009 10:49 AM  
**To:** Scheibel, Robert  
**Subject:** RE: Proposed Claim amendment for consideration

Examiner Scheibel,

Thank you for your email. I am fine with each of the proposed claims as well as with correcting the typographical error in claim 40.

Thanks,

Drew

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**From:** Scheibel, Robert [mailto:Robert.Scheibel@USPTO.GOV]  
**Sent:** Tuesday, September 22, 2009 10:39 AM  
**To:** Leyes, Drew  
**Subject:** RE: Proposed Claim amendment for consideration

Mr. Leyes:

This is how I propose amending claim 53. It's a little awkward in the use of "a first second mesh network tier subscriber unit", but we need to distinguish this from the other units in the second tier. Please let me know if this is fine with you or if you'd rather use different wording. Please also confirm the wording in claim 54 below.

Also, there is a typographical error in line 5 of claim 40 "to respective second mesh network tier unit" should be "to the respective second mesh network tier unit".

Thank you,

Bob Scheibel

53. (Currently Amended) A method comprising:

providing a wireless communications path between a first mesh network tier sink node unit and at least one of a plurality of first mesh network tier subscriber units in a first mesh network tier;

providing a dedicated communications path between the first mesh network tier sink node and a first second mesh network tier subscriber unit in a second mesh network tier, the second mesh network tier being a fixed network, wherein at least one of the first mesh network tier subscriber units is not a member of the second mesh network tier, and wherein the second mesh network tier comprises at least one second mesh network tier subscriber unit that is not a member of the first mesh network tier, wherein the second mesh network tier geographically overlaps the first mesh network tier; and

providing the at least one of the first mesh network tier subscriber units with a communication path to

the first second mesh network tier subscriber unit via the first mesh network tier sink node.

54. (Currently Amended) An apparatus for operation in a communications system comprising at least a first mesh network tier and a second mesh network tier,

the second mesh network tier geographically at least partly overlapping the first mesh network tier and comprising a second sink node and a plurality of second communication terminals configured to wirelessly communicate with the second sink node, the apparatus comprising at least one transceiver, the apparatus configured with the assistance of the at least one transceiver to:

operate as a first sink node configured to be in wireless communication with a plurality of first mesh network tier communication terminals;

operate as a second communication terminal for providing one of the first mesh network tier communication terminals with communications access to the second mesh network tier, and wherein one of the first mesh network tier or the second mesh network tier is a fixed network mesh tier, and wherein at least one of the first mesh network tier communication terminals is not a member of the second mesh network tier, and wherein the second mesh network tier comprises at least one second mesh network tier communication terminal that is not a member of the first mesh network tier.

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**From:** Leyes, Drew [mailto:Drew.Leyes@alston.com]  
**Sent:** Monday, September 21, 2009 4:04 PM  
**To:** Leyes, Drew; Scheibel, Robert  
**Cc:** Shaver, Linda  
**Subject:** RE: Proposed Claim amendment for consideration

52. (Currently Amended) A communications unit comprising a first mesh network tier sink node unit comprising a first transceiver configured to wirelessly communicate with at least one of a plurality of first mesh network tier subscriber units in a first mesh network tier, and a second transceiver configured to communicate in a dedicated connection to a second mesh network tier subscriber unit configured to wirelessly communicate in a second mesh network tier, the second mesh network tier being a fixed network, wherein the second mesh network tier geographically overlaps the first mesh network tier wherein the communications unit is configured to provide a communications path between one of the first mesh network tier subscriber units and the second mesh network tier subscriber unit, wherein at least one of the first mesh network tier subscriber units is not a member of the second mesh network tier, and wherein the second mesh network tier comprises at least second mesh network tier subscriber unit that is not a member of the first mesh network tier.

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**From:** Leyes, Drew  
**Sent:** Friday, September 18, 2009 4:02 PM  
**To:** Leyes, Drew; robert.scheibel@uspto.gov  
**Cc:** Shaver, Linda  
**Subject:** RE: Proposed Claim amendment for consideration

Examiner Scheibel,

Would the amendments to Claim 87 illustrated below overcome the 112 rejection? Please feel free to call me at 704-444-1457 at your convenience to discuss. I should be here until 5:00 eastern.

Drew

(Currently Amended) An apparatus comprising a ~~processor and a memory storing instructions that when executed by the processor~~ network node configured to cause the apparatus to at least:

provide a wireless communications path between a first mesh network tier sink node unit and at least one of a plurality of first mesh network tier subscriber units in a first mesh network tier;

provide a dedicated communications path between the first mesh network tier sink node and a second mesh network tier subscriber unit in a second mesh network tier, the second mesh network tier being a fixed network, wherein the second mesh network tier geographically overlaps the first mesh network tier, and wherein at least one of the first mesh network tier subscriber units is not in the second mesh network tier; and

provide the at least one of the first mesh network tier subscriber units with a communication path to the second mesh network tier subscriber unit.

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**From:** Leyes, Drew

**Sent:** Friday, September 18, 2009 9:02 AM

**To:** 'robert.scheibel@uspto.gov'

**Subject:** Proposed Claim amendment for consideration

36. (Currently Amended) A communications system comprising: a hierarchical mesh network comprising at least a first mesh network tier and a second mesh network tier:

the first mesh network tier comprising a plurality of first mesh network tier subscriber units and a first mesh network tier sink node unit configured to wirelessly communicate with the first mesh network tier subscriber units; and

the second mesh network tier geographically at least partly overlapping the first mesh network tier and comprising a plurality of second mesh network tier subscriber units and a second mesh network tier sink node unit configured to wirelessly communicate with the second mesh network tier subscriber units over a fixed network, wherein at least one of the first mesh network tier subscriber units is not a member of the second mesh network tier, and wherein at least one of the second mesh network tier subscriber units is not a member of the first mesh network tier; and

a dedicated connection between the first mesh network tier sink node unit and a second mesh network tier unit configured to communicate in the second mesh network tier, whereby one of the first mesh network tier subscriber units is configured to be provided with a communication path via the first mesh network tier sink node unit to said second mesh network tier unit.

502.03. Recognizing that internet communications are not secure, I hereby authorize the USPTO to communicate with me concerning any subject matter of this application by electronic mail. I understand

9/22/09

that a copy of these communications will be made of record in the application file.

***Drew Leyes***

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